

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Hashiguchi *et al.*

Appln. No.: 10/578,770 (*U.S. National
Stage of PCT/JP2004/016600*)

I.A. Filing Date: November 9, 2004

For: **Method of Concentrating and
Purifying Nucleic Acid and
Apparatus Therefor**

Confirmation No.: 6215

Art Unit: 1753

Examiner: To Be Assigned

Atty Dkt: 0666.2880000/MAC/AFK

ATTN: Mail Stop PCT

Request for Reconsideration - Sequence Listing Requirement

Commissioner for Patents
Washington, DC 20231

Sir:

A "371 formalities Letter" entitled "NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)" was mailed by the Office on January 22, 2007. *Inter alia*, the notification stated that applicants were required to comply with the sequence listing rules ("the application clearly fails to comply with the requirements of 37 CFR 1.821-1825").

A sequence listing is not required

Applicants request reconsideration of that part of the notification that states that a sequence listing is necessary to complete the requirements under 35 U.S.C. 371. There are no nucleic acid sequences in this specification or figures. Table 1 refers to "CTAC" but that is the abbreviation of a chemical compound (cetyl tri-methyl ammonium chloride) and is not

a DNA sequence. Accordingly, it is believed that the request for a sequence listing is in error and should be withdrawn.

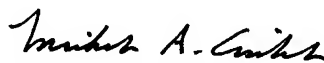
In fulfillment of the other requirements outlined on the above Notification, Applicants filed the declaration and paid the late declaration fee surcharge on February 22, 2007. Accordingly, it is believed that all requirements have been completed. Early notice of the same is respectfully requested.

Summary

It is believed that the present application is now in condition for immediate allowance. Early notice to this effect is earnestly solicited. If, in the Examiner's opinion, a phone conference may expedite prosecution of this application, the Examiner is encouraged to contact Applicants' undersigned attorney at (202)371-2600.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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Date: April 3, 2007

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